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THE
JAMAICA PETITION

FOR
REPRESENTATION

IN THE
British House of Commons,

OR FOR
INDEPENDENCE.

BY
AUGUSTUS H. BEAUMONT,

A Member of the Jamaica Assembly.

1831.

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*To the Honorable the Commons of the United Kingdom
of Great Britain and Ireland, in Parliament
assembled.*

THE HUMBLE
P E T I T I O N

OF

AUGUSTUS HARDIN BEAUMONT,

A Member in the Jamaica Legislative Assembly,

SHEWETH,

THAT the project of legislating for the British West Indian Islands, entertained by your Honourable House, will tend to retard the progress of human amelioration.

The undersigned offers to prove to your Honourable House, that the British Parliament ought not in reason to have, and that in fact it has not the power, to bind by its laws the Island of Jamaica; (respecting which, and the constitution of its society, your Honourable House can have *only hearsay knowledge*;) and that your Honourable House, by its interference, may in probability provoke mischief, but cannot in possibility effect good.

Before a reasoning and deliberating Legislature proceeds to pass any laws, particularly such as involve any interference with an unknown, unrepresented country, it should attentively ascertain three things :—

First.—The right of intervention.

Secondly.—The power to intervene at all.

Thirdly. —The possession of sufficient ability to intervene, so as to promote the good of the people; that is, the greatest happiness of the greatest number.

Now first, of the right of the British Parliament to interfere with that of Jamaica.

On what principle is built the claim of the people of England to legislate for the people of Jamaica? Is the claim one of reason or force. In either case the people of Jamaica are ready to argue the question.

Considering Parliament as the collective wisdom of the British Nation, the people of Jamaica have a right to presume that the claim you set up to make laws for them, is founded on reason, and not on brute force. Let then the claim of right be examined, with reference to the condition of the usurping and resisting parties.

This is their relative position—a people have existed many ages in one particular Island, and been supposed to legislate by their own representatives for their own regulation. A portion of these people emigrate to a distant Island, and by their own labour render it productive.

Does the portion which emigrates become the subjects of that which remains behind? Is the County of Cornwall subject to the County of Kent?

Is it replied that a mother country has a right to make laws for her descendents? Then Saxony and Normandy ought to legislate for England, Brittany for Scotland, and the refusal to obey is contumacy and contumacious resistance.

The absurdity of the proposition, that one state is to legislate for another because it is the parent state, and that the resistance of the second to the mandates of the first, is contumacy deserving punishment, becomes apparent, by the mere enunciation.

This supposed right of the mother country to make laws for its Colonies, is like most other fallacies of very antient origin. Two thousand five hundred years ago we find the following remark made upon a similar dispute between the Corcyreans and Corinthians, the Colony and parent country, when application was made by the daughter to a neighbouring republic, to aid her in resisting the aggressions of her mother, and the fallacy of allegiance and duty, and contumacy, having been invoked, it was replied, “learn that every Colony having no reason of complaint honours the mother country; but when wronged, is alienated, for they were sent forth not to be slaves, but the equals of those who stay behind.” *μαδέτωσαν ὡς πᾶσα ἀποικία εὖ μὲν πάσκειν τιμᾷ τὴν μητρόπολιν, ἀδικουμένη δὲ ἀλλοτριεῖται· οὐ γὰρ ἐπὶ τῷ δοῦλοι ἀλλ’ ἐπὶ τῷ ὁμοίοι τοῖς λειπομένοις εἶναι ἐκπέμπονται.*

It would appear as if mankind were never to advance in political knowledge, but that the fallacies of 2,500 years ago were again to be employed—again exposed—again refuted—and their consequences again resisted.

Evidently then, the principle of intervention by the one Island in the internal affairs of the other, is not founded in reason.

But it is contended that the emigrated part of the nation is ignorant of legislation, and unjust to the members of its society; and that therefore, the unemigrated part of the nation has a right to interfere.

Then the principle of interference between the emigrated and unemigrated parts of the nation is this,—that in the part where an aptitude for government is shewn, a right is created to legislate for that part where this aptitude is not shewn.

Admitting that this principle of intervention is just, let reason decide which part of the nation ought to legislate for the other.

One of the parts of the nation robs a foreign land, kidnaps her inhabitants, and compels the other part under heavy penalties, and in contempt of its repeated remonstrances, to receive the stolen men as slaves. The part of the nation forced to participate in this atrocity, receives these stolen men in the condition of savages; it civilizes them—it raises up to take their stand amongst fellow men, those whom the other part of the nation had degraded to the condition of beasts.

At the time the legislators of one part of the nation, receiving savages, are making of them civilised men, the law-givers of the other part, having received a highly civilised race under their care, are employed in passing Acts for the better preservation of Hares and Foxes; and of a brave, independent, noble, generous labouring people, they have made a race of miserable discontented paupers.

Then, one part of the nation cannot legislate, the other can. In reason and modesty, which part should legislate for the whole?

The position thus stated is not fictitious; things done and laws enacted—records of trials and proceedings of courts of justice—former history, and existing communities, all bear witness to its accuracy.

“Previous to the existence of any of the West India Colonies, England commenced the slave trade. This traffic was established in the reign of Queen Elizabeth, who formally had a share in it. Her successors encouraged it by every possible means; and King William III. (by Lord Somers, his minister) declared that the slave trade was “highly beneficial to the nation.” Numerous Acts of Parliament, from the reign of King William till within a few years of the Slave Trade Abolition Laws, are to be found in the Statute Book of the British Parliament, encouraging and fostering this traffic; and when,

in 1760, South Carolina (then a British Colony) passed a law, prohibitory of further importations of slaves into that dependency, Great Britain indignantly rejected the Act, and declared that the slave trade was beneficial and necessary to the mother country; the Governor who sanctioned the Prohibitory Act, was reprimanded; and a circular was sent to all other Governors, warning them against a similar offence, which however was repeated in 1765, and Jamaica stood forward as the advocate of the black men. A Bill brought in on the petition of the inhabitants of that Island, was twice read in their Legislative Assembly, for the purpose of limiting the importation of slaves, when the measure was frustrated by Great Britain, through the Governor, who sent for its Assembly, and told them that, consistently with his instructions, he could not give his assent; therefore the Bill was dropped and the slave trade continued. Again in 1774, the Jamaica Assembly actually passed two Bills to restrict the slave trade; but Great Britain again resisted. Bristol and Liverpool, which are now clamorous for the abolition of slavery itself, then found it suited their interest to petition for the continuation of the importation of our African black brethren, and the matter being referred to the Board of Trade, that Board reported for the continuation of the slave trade; thereupon the Colonies, by the Agent of Jamaica, remonstrated and pleaded against the report on all the grounds of justice and humanity; but Great Britain, by the mouth of the Earl of Dartmouth, then President of the Board of Trade, answered by the following declaration; "We cannot allow the Colonies to check or discourage, in any degree, a traffic so beneficial to the nation." This declaration was made in 1774, and in the same year the Legislature of Massachusetts was reproached with contumacy, and threatened with prorogation for framing an Act to prevent the Importation of Slaves.

Mr. Brougham, in his Work on Colonial Policy, remarking upon the exorbitant influence of the Crown in the Colonies, says, Vol II. page 27,

“Accordingly every measure proposed by the Colonial Legislatures that did not meet with the entire concurrence of the British Cabinet, was sure to be rejected in the last instance by the Crown.” “If examples were required, we might,” (continues this author,) “refer to the History of the Abolition of the Slave trade in Virginia. A duty on the importation of Negroes had been imposed, amounting to a prohibition. One Assembly, induced by a temporary peculiarity of circumstances, repealed this law, by a Bill which received the immediate sanction of the Crown; but never afterwards could the Royal assent be obtained to a renewal of the duty, although, as we are told by Mr. Jefferson, all manner of expedients were constantly tried for this purpose, by almost every subsequent Assembly that met under the Colonial Government. The very first Assembly that met under the new Constitution, finally prohibited the traffic.’

The Bahama Colonies alone were successful in abolishing the slave trade, (contrary to the wishes of Great Britain) by an annual clause in one of their money Bills, imposing on the traffic an import duty, amounting to a prohibition. But in order to enforce the then slave-dealing policy of the mother country, her Government provided in the tenures by which lands are held in Jamaica, and in the other British West Indian Islands, that the holders should become proprietors of slaves; inasmuch as the patents by which they hold such lands, require that they should possess a certain number of slaves, in proportion to the extent of their plantations, as by reference to the patents will appear; and it was made an instruction to the Governors of the Colonies, not to assent to any law imposing any duties on the importation of slaves.

When the emigrating part of the nation invoked the principles of justice and humanity against the robbery the other part was committing, the answer was, “We are your parents, your refusal to obey us is contumacy.”

Thus the *home-quitting* part of the nation was compelled to submit to participate in receiving, or rather in purchasing the theft of the *home-staying* part of the nation ; but though forced to acquiesce in the man-stealing, the *home-quitting* part did not participate in the contempt manifested by the *home-stayers* for the rights of humanity.

The home-stayers forced the home-quitters to give their money for the slaves, whom the home-stayers sold, body and soul, requiring no covenant for good or merciful treatment to their fellow men ; all that was demanded by the European-willing-seller from the American-forced-buyer, was the purchase-money—the price of blood ; but the purchasers did not imitate the thieves in their entire disregard of humanity ; they passed laws to promote the civilization of the savages intruded on their country ; and, to ensure the protection and comfort as a fellow-man, of him whom the people of Britain had only regarded as a saleable animal—a legitimate article of barter.

The robbery upon Africa—the tyranny over Jamaica—the atrocity of stealing men from one country and forcing them upon another, can give no just title to the spoiler to make laws for either of the countries, which have been made subservient to his avarice and villany.

The abominations committed by one set of legislators, give them no right to legislate for another set of legislators, whose country they had tried to debase for self-advantage—self aggrandizement.

But it is said that the act of Protection gives the right of Legislation—let us admit this axiom—let us forget that we pay you a thousand times the expenses of your supposed protection—still we repel your claim under this pretence, to give us laws, by bidding you withdraw your soldiers. More than once, the people of Jamaica have told you, that they could guard themselves, and they have

proved their sincerity oftentimes, by refusing to pay the expense of supporting your troops. Institutions which require a mercenary standing army to maintain them, ought not to exist.

Again it is said, that the right to legislate for the Colonies, is founded on the expense they occasion the mother-country—that large sums are disbursed by the British Nation to support them, and that therefore, she has a right to see the money thus advanced expended for her benefit. Let us admit this conclusion, also, when the premises are proved: it will be passing difficult to shew when, and for what, these largesses were given to Jamaica. She pays all her own public officers, excepting a Bishop whom Mr. Canning, by way of amusing the British nation, palmed off on Jamaica, and who being perfectly useless there, will be recalled in due time, it is to be hoped, to England, to adorn one of those Sees of the holy mother church, which are always the reward of merit, humility and piety; but never the prey of ambition and political tergiversation. All the liberality of the British nation to Jamaica, is in the honor the parent accords the daughter of fattening the parasites of the mother at the child's expense. The payers of every office of emolument are in Jamaica, the enjoyers of the proceeds are in England, receiving the profits in person, and performing the duties by deputy. It can hardly be contended, that the enormity of pensioning off the aristocratic paupers of one country at the expense of another, gives the first a right of making laws for the second. If the grant of money from one part of the nation to another, does give, as is contended, to the part granting, the right of legislating over the part receiving, then Jamaica ought to make laws for England.

The Jamaica legislature has been accused of intolerance in matters of religion! Were it responsible to any

but its own constituents, it might contrast its liberality with the exclusiveness of other lawgivers. It took the lead in passing a law to abolish all civil distinctions between Jews and Christians—the government in England refused to sanction this law—where then was the intolerance? In Jamaica the Catholic Relief Bill was passed without so much as a division of its legislature, while in England the same act of justice almost involved that country in revolution; and the bitterness of the party contests it created there, is still occasionally tasted. Here then again, which of the two is the liberal part of the nation? the fact is, that in Jamaica the legislature troubles not itself with the religious or irreligious opinions of any man, be his complexion or station what it may: believers and unbelievers, Christians, Jews, Mahometans and Pagans, are allowed to go to or from Heaven as they please, only it refuses to allow upon the portion of earth under its guidance, the establishment of a parsonarchy—(of a government of priests, like that of other countries, levying tithes and taxes, and enforcing their payment by brimstone and fire)—enthraling the intellect and debasing the soul more than slavery does the body. Britain left it to Jamaica to civilize the men she stole, and in pursuance of this duty, Jamaica seeks their benefit—not by preventing the preaching of honest-meaning men, but merely by refusing to allow adventurers from Liverpool or Bristol to sell religion for money as they formerly did the stolen Africans.

As a proof that liberal feeling is characteristic of the Jamaica legislature, an enactment passed by them the last sessions may be adduced, by which that numerous class of men which Britain sold as slaves, and which Jamaica has spontaneously made free, was admitted to an equal participation of immunities with the white inhabitants.

In performing this act of justice, the Colonial Legislature of Jamaica acted from practical experience, refusing to listen to the theories of prejudiced or inexperienced men, such as the author of a Work, usually entitled Brougham's Colonial Policy, who says, in his first volume, page 78,

“ Besides, the political character formed by the West Indian Policy, “ is extremely favourable to principles of independence, without any “ tendency to excite turbulence. The distinction of colour is a badge “ common to all the whites, and lifts them above the great mass of “ the community. *It is an order instituted by the arrangements of “ nature, and marked by palpable and indelible symbols.*”

Waving the question of the right of the home-staying part of the nation to legislate for the home-leaving part, let us next consider what good such interference, if permitted, could produce. Never having resided in Jamaica—knowing nothing of the habits and ideas of the great bulk of its population, nor of the peculiar state of society in which they live—a state utterly distinct from that existing in Europe, and from European ideas, it is impossible for the British parliament to make laws for Jamaica, with the remotest chance of benefitting any portion of its inhabitants. Neither is there any just cause for supposing that a body of men, who for their nation's gain, robbed an entire continent of as many of its inhabitants as they could catch, and sold them as slaves, have so far outstripped in justice those who never forgot the rational equality of man, as to be entitled to supercede the legislation of the more humane nation.

It is but natural to believe, that the legislators who were awake to justice and mercy when others were torpid to every feeling but the profits of man-stealing, will not now slumber in the course of human amelioration, when all civilized nations are emulating each other in the race.

I am not—I never was an advocate for slavery—the system is abhorrent to every manly feeling—it is de-

grading to human nature, whether in its undisguised form in Jamaica, or in its insiduously masked character in other countries, where it assumes the semblance of freedom, in order the better to trample on the rights of man; centering the object of the real, tho' disguised solicitude of the rulers, in the welfare of a few haughty Aristocrats—sacrificing the happiness of the greatest number to the pomp of a few, persuading a miserable starving people, that they are the freest of the free, (when in fact, they are governed by laws, in the making of which, they had no participation;) and assuring them that they are the happiest of the happy, and ought to be grateful and contented, when in truth, but a scarcely life sustaining portion of the food they produce is allowed to pass into their mouths. Slavery called slavery in Jamaica is bad—man was not born to be the property of man—Slavery called freedom elsewhere is worse, because less susceptible of remedy. The *labouring many* were not created to toil in famine to satiate the *idle few*. But slavery is fast working its own destruction in Jamaica—indeed, if what are styled constitutional principles were to be recognised there, the slaves might now be called freemen. Having property independent of their master, and always the means in their own hands of redressing their wrongs, by striking work, (and thus ruining the proprietor's manufacture—a remedy they are well aware of, and do not hesitate to employ), they are, under a correct definition of words, less slaves than the peasant who has no property, and whose labour is sold by the parish to defray a part of the poor rate, for supporting his wife and children. Between selling a man, and selling a man's labour, there is but a nominal difference.

The local legislature of Jamaica has shewn that it has the desire of promoting, and certainly it has the best means of ascertaining those measures which are most be-

neficial to their dependents, and least injurious to every class—most likely to promote the general happiness—most effective to abolish a system of injustice created contrary to their wishes, and alike pernicious to all.

It has been admitted that England has no right to interfere in the legislation of Canada, as that country is not represented in the British parliament,* yet it is alleged that the same rule does not apply to Jamaica, because slavery exists there. Let this rule and its exception be fairly analysed:—it provides that the home-staying part of a nation has no right to legislate for the home-quitting-part, till the home stayers have robbed and plundered some other country of its inhabitants, and compelled the home quitters to buy them as slaves: the home-stayers all the while pocketing the purchase-money, and declaring the traffic to be most beneficial, till interest no longer blinding their mental vision, they discover that robbery, kidnapping and man-stealing, are not public virtues;—tardy repentance at last visits their consciences, and they manifest their regret for their crimes, not by restitution to the wronged foreigner, but by endeavouring to plunder their innocent countryman.

Before you can with justice exercise, and before, in fact, you will be allowed to exercise your supposed right of legislating for Jamaica, her people must have at least a share in framing the laws by which she is to be governed—and that by her own Representatives, according to even your own principles.

In your Parliament the people of Jamaica are in no wise represented—the haughty aristocrats who have property in that Island, and who may obtain seats in the House of Commons, have no community of interest, no

* Lord Brougham when H. Brougham, Esq.

identity of feeling with the resident inhabitants of Jamaica ; to these aristocrats, what may become of the people of that country is and ever must be matter of perfect inconsequence, so long as they can, by any other means, retain in England what they call their station in society : that is, live among *your* aristocracy, imitate their vices, and surpass their follies. To those who have ever been taught to regard the many of mankind, as created to pamper the pomp and pride of the few, the welfare of an unknown population, whether black or white, must be of no regard, so long as their own wants are supplied, their own selfish caprices gratified.

Now that you recognise the principle that your people have a right, really, and without fiction, to elect the representatives which are to prescribe the rule of government to all, on what other principle do you contend that you are justified in attempting to bind us by laws, to the making of which we are not parties ? because yours is the mother country ! I answer again—then Saxony or West Friesland ought to prescribe laws for England.

Is the argument you adduce that of the strongest ? the Russian logic with Poland ! then is reasoning of no avail ; we must repel force by force. You laugh at resistance, but we have considered our position, and our chances of success. We know that the majority of the wealth of our country belongs to absentees, who spend it in England ; and that, regard for the benefits you receive from that wealth, will prevent you from risking it by driving us to extremities : We know that a large portion of your manufactures is consumed by us—that your sailors are employed by us—that your merchant's property is embarked with us : We know that you are fearful of destroying these interests ; and that you have more actual dread of the collision than we have. Knowing human nature, as history has exemplified it in the British Administration

of Colonial Jurisprudence, our dependence is on your self interest, not on your generosity.

You may Legislate for Jamaica as you did for America, that is, give a Bill a first, a second, and a third reading, refer it to a Committee, engross it, pass it; but for all practical purposes it will be absolutely worthless; regarded in the Country over which it usurps unjust authority, regarded as much, and no more regarded, than the Ordinances of Charles the Xth now are in France, or the Statutes of Parliament regulating Tea and Stamp Duties were in the United States of North America, in 1775.

Your Bill will be met in the first instance by passive resistance—no Jury will convict upon it, and should there be any attempt made to use force in the execution of its provisions, it will be considered as illegal force, and repelled by other force to death, while the person repelling it will be admired as the asserter of his Country's rights.

We have well and accurately viewed our situation—it is similar to that of the Colonies of North America in 1775, when their protests against aggression were called contumacy, and their threats of resistance ridiculed as contemptible. Our situation is the same, precisely the same, as was that of the Southern part of those Colonies, when an attempt was made to instigate the men who had been robbed from Africa, to murder the men in America upon whom they had been forced; this attempt was made by those who had stolen the Africans; it was considered a beautiful and effectual stroke of policy; we remember the failure of this attempt, and we feel that we have deserved not less than the Inhabitants of the Southern part of the now United States of America, the attachment of those whom British barbarity put under Colonial protection.

If the attempt to impose Foreign Legislation on us were made by men who had always sacrificed the interest of themselves to the greatest happiness of the greatest

number of their own countrymen—if it were made by men who had disinterestedly striven to drive tyranny, mis-rule, poverty and wretchedness from their own land, doing justice to their benevolent views, we could not but love them; yet though desirous to co-operate with them in the noble work of benefitting mankind, we should oppose their usurpations, because every Country, whatever may be its extent, has a natural exclusive right to make Laws for its own government.

If we should thus resist the interference of the disinterested and the able, how much more strenuously ought we, and will we, oppose the usurpations of those, who seeking to make Laws to bind an unknown land, have, as facts now existing prove, and as their own confessions admit, been unable to secure the well being of their own country—been unsuccessful in promoting the happiness of the useful classes of their own Society!

If we were satisfied that the object of those who desire to Legislate for us was pure, we would seek every means of conciliation, consistent with our own rational independence as reasoning men; but we are opposed to men of no such character. Every grasping lawyer, intriguing for a silk gown; every place hunting vagrant, prowling after an office for himself or his son, calumniates the West Indian Islanders, and pretends to sympathy for black labourers in a distant region, heedless of his own noble Countrymen's misery, but trying under the semblance of philanthropy to advance his own selfish ends. Others originally slave owners, who sold their human property for money, now seek, at our expence, to acquire popular applause, and to intrude themselves into the ranks of the liberators of mankind.

With even that portion of self-legislation left us, and which you now seek to usurp—still whithersoever we turn we find ourselves and our country a continual sacri-

fice—we find our Executive encouraged and aided by His Majesty's Ministers in deluding and swindling, not our Legislature alone, but also your Parliament, by evading its Statutes in order to plunder our Country, and when the villany is discovered, odium is unjustly cast by the powerful fraud-committer on the unprotected fraud-discoverer. The public servants are detected conspiring together to defraud their master the Nation; and when the unjust Steward's accounts are exposed, and his peculations made manifest, instead of being ashamed of his mis-deeds, he complains that his private secrets are violated—not matters exposed relating to his wife and children, but concerning the whole community, whose goods were in his keeping, and which his *privacy* was seeking to embezzle, just as if one servant had a right to be offended because he was not allowed to conspire with another servant to rob their master privately; and as if a committer of larceny had reason to complain that his secrets were violated, when the articles he had stolen were taken from his person. The difference in the cases is, that the common thief injures one man, the public robber a whole Nation—the first does only partial damage, the second universal injury.

In 1825, the Governor of Jamaica, and the then Secretary of the Colonies, conspired first to deceive the Legislature of Jamaica, and then to evade a Statute of your Parliament, commonly called Lord Shelburne's Act, passed to prevent certain offices of trust and emolument continuing as they then were, and despite of the Statute still are sinecures. I honestly came by the correspondence of these conspirators.

Some of the passages relating to one of these conspiracies are as follows:—

Governor of Jamaica's Letter to the Secretary of State for the Colonies,
Dated 8th of June, 1825. (Private)

"I HAVE had the honour to receive your Lordship's Letter

“ of the date stated in the margin, (22nd March) acquainting me, that
 “ in consequence of the death of Lord Braybroke, the office of Provost
 “ Marshal General in this Island has devolved on Mr. John Augustus
 “ Sullivan, to whom the appointment had been granted in reversion,
 “ by Letters Patent, dated in May, 1804.

“ When the account of Lord Braybroke’s death was received
 “ here, it became necessary to appoint a Provost Marshal to act until
 “ the King’s pleasure should be known. This appointment has of course
 “ become void, by the production of his late Majesty’s Patent to Mr.
 “ Sullivan, and as this office is one of great importance, in which every
 “ possible advantage will be taken in case of any irregularity in the
 “ mode of appointment, I have been induced to avail myself of the
 “ professional talents and experience of His Majesty’s Commissioners
 “ of Legal Enquiry, who have, in the most obliging manner, favoured
 “ me with their opinion on the subject. There were two modes of
 “ proceeding; one, to consider this case as coming under the Act of
 “ Parliament, 22. Geo. 3. cap. 75.; and the other, to treat it in the or-
 “ dinary mode of supplying vacancies, without reference to that Act.
 “ Lord Shelburne’s Act seems intended to give the Governor and
 “ Council, a power to visit offences committed by Patentees with for-
 “ feiture and removal; and *as the great object of that Act is to enforce*
 “ *the residence of Patent Officers*, wilful absence is one of the offences
 “ specified therein; however, no Patent Officer can be considered as
 “ guilty of wilful absence, unless he shall have been previously pre-
 “ sent in this Island; and it would be straining a penal law to a most
 “ unjustifiable extent, to charge an Officer with wilful absence because
 “ he does not arrive here at the precise time that his Patent is promul-
 “ gated. Under all circumstances it has been determined to appoint the
 “ present acting Officer, stating in the preamble, that the temporary
 “ appointment occasioned by Lord Braybroke’s death, had become
 “ vacant, in consequence of Mr. Sullivan’s Patent; and that, as Mr.
 “ Sullivan had not yet arrived, it had become again necessary to ap-
 “ point a person to act as Provost Marshal, until further provision
 “ be made therein. This appointment meets the wishes of Mr. Sulli-
 “ van’s Agents, and will leave him at liberty to make such arrange-
 “ ments for the management of his office in future, as he may judge
 “ expedient; and the temporary appointment can be put an end to
 “ at any moment.

“ As Mr. Sullivan’s Patent has not been made use of here, he
 “ of course is not recognized as Provost Marshal until he actually

“ assumes his office in person ; and all that can be done is, that the
 “ Governor *should be desired privately, to appoint such persons from time*
 “ *to time, as may be suggested by the Patentee.* This has been the case
 “ with Mr. King’s appointment of naval Officer : whenever a change in
 “ the acting Officer has been anticipated, a request has been made to the
 “ Governor, through the Colonial department, to appoint some person or
 “ persons, in succession, nominated by Mr. King. The same mode was
 “ also adopted in the case of the Clerk of the Courts’ Office, during the
 “ life of the late Sir Evan Nepean, and since his death has been pursued
 “ towards his Son.”

Letter, dated 27th June, 1825. (Private.)

“ REFERRING your Lordship to my Letter of the 8th instant,
 “ on the subject of Mr. Sullivan’s office of Provost Marshal General
 “ in this Island, I think it proper to apprise your Lordship that *there*
 “ *is a DISPOSITION* to take up this question when the Assembly meets,
 “ with a view of forcing Mr. Sullivan at least to assume his office, for
 “ the purpose of rendering him responsible for the conduct of those
 “ who may officiate for him here. At present the only security the
 “ public have, is in the acting Officer ; which, in an office in which such
 “ large sums of money are received and paid, is not deemed sufficient.
 “ During the life of Lord Braybroke, the Island had his security to
 “ resort to, as well as that of his lessee ; and large sums of money
 “ were actually recovered from his Lordship for the defalcation of his
 “ lessees. I think also, that the *same DISPOSITION* exists in regard to
 “ the Clerk of the Courts’ Office, the Patentee of which *has not as-*
 “ *sumed his office in person.* It would ONLY BE NECESSARY for Mr.
 “ Sullivan and Sir Hyde Molineux Nepean, to come here and assume
 “ their offices, after which they might obtain leave of absence in the same
 “ manner as took place in regard to the late Sir Evan Nepean.”

Letter dated 18th of April, 1825, states that if the Nominees of
 Mr. King should become absentees or die, Mr. Francis B. Atkinson
 was to be the Naval Officer.

Letter, dated 14th February, 1826.

“ MR. JOHN KING was appointed since the Act, and of course
 “ cannot execute his office by deputy ; but he has been permitted to be
 “ absent from his duty, and his Nominee has always been appointed.”

The object of the Act of your Parliament, as well as of ours, was thus not only defeated, but the evil the law sought to remedy, was increased. Before that Act existed, the placeman, though he performed no duty, yet was responsible for his deputy; under the new law and the conspiracy to defeat it, the sinecurist still performed no duty, and was made wholly irresponsible.

This is but one of the many frauds privately committed on Jamaica by the confidential conspirators.

Their avowed object was to beguile our legislators,—to deceive them at home,—to misrepresent and to betray them abroad. At the instant a confidential communication to England announced the real object of our executive, another communication, not less confidential, was made to some member of our Legislature, assuring him that no such object was contemplated as that which in fact had been distinctly promised in the first confidential communication.

At one time, under pretence of a loan for the benefit of the Island, the real object was to procure funds to render the executive entirely independent of our people: at another time we were assured that it was not the intention of His Majesty's Ministers to invade our property, when at the same instant a confidential communication guaranteed the execution of the disclaimed project, when a convenient opportunity could be found to propose it.

I found myself in circumstances exactly the same as those in which Franklin had been placed just before the American War; I acted as he did, I unmasked the frauds as he had done, to undeceive the injured people, and to enable them to obtain justice. Acting as Franklin did I had the honor of encountering similar injury. *He* had been for his patriotism insulted before the Privy Council, by M. Wedderburn, afterwards Lord Loughborough; *I* was traduced by the Under Secretary of

State for the Colonies, Mr. Robert Wilmot Horton, who using the opportunity afforded him by his place, held me up to public hatred for detecting the frauds. As well might a robber complain that his private correspondence was violated, when his conspiracy to commit house-breaking is detected. If to stop burglary in a single dwelling be meritorious, *a fortiori* it is so, to prevent the plundering of a whole Nation. It must not be forgotten too, that the very parties to this confidential affair, themselves did not hesitate in 1824, to use the private letters of other individuals to effect their own purposes.

The plea that *confidential* communications are exempt from the public's scrutiny, can not avail the defendants in this case. When the Athenians intercepted the correspondence of King Philip of Macedon, they returned the letters of his wife Olympia unopened, but subjected the confidential dispatches of his Secretaries of State to a rigid examination: Is it replied, "but Athens "was at war with her enemy," I rejoin, "and so was I "with the betrayers of my country."

We see our Laws passed after the mature deliberation of ourselves, who do know the condition of those for whom we are Legislating, subjected to the approval or disapproval nominally of the King in Council, but in reality of a Law Clerk in the Colonial Office, young Mr. Stephen, a single irresponsible individual, perfectly ignorant of our society and our avowed enemy. When I applied to Sir George Murray, then in the Colonial Office, I obtained an audience with more trouble than would have cost me a dozen interviews with the King of the French. I applied to him relative to a Law which I myself had prepared, and which was of great importance to my Country. His Excellency knew nothing about it, and commenced to talk to me about Haiti and Cuba—at last he avowed he was not aware of the Law, as the Law Clerk

had not made his Report, and then, with his usual urbanity, bowed me out of his office; the Law Clerk refused to see me or answer any questions, and I was left without the means of ascertaining whether a particular Law of considerable importance to myself and every man in Jamaica, was rejected or not. Thus our Laws are in the absolute discretion of a boy—of a writer in a public office.

The solemn and just complaints of our Legislature are ridiculed, and we are replied to by the irony of some wool-sack-hunting lawyer, that he has a great respect for all the colonies, from Jamaica to the Virgin Islands; our applications for redress are either totally disregarded or else merely acknowledged by some subordinate officer, while the anonymous complaints and mis-representations of irresponsible individuals, have been made the subject of serious and tormenting inquisition by the principal Secretary of State for the Colonies: the avowed enemies of Jamaica have been selected to decide upon the questions in which she is interested, and her right to Legislate for herself has been openly invaded, contrary to reason, in violation of your own Acts of Parliament, and in manifest defiance of every principle of justice.

The British Parliament has always been virtually allowed to exercise the power of Legislating for the whole State on matters of trade, (though relating to the Colonies) and on all other subjects implicating the general interests of the Empire.

When your popular representation is so amended that each Member of Parliament is the organ of the feelings of his Constituents in the United Kingdom alone, the Colonies will be left without even the shadow of Representation—in consequence, they must be subjected to the continued injury resulting from the popular feeling being roused against them—a feeling which would be re-echoed in Parliament, and the Colonists left without

remedy—without protection—their interests scoffed at—their properties, lives, and liberties at the discretion of the popular ebullition of another people, distinct from them in their political situation—alienated from them by fraudulent misrepresentation.

Under such a state of things the Colonies must soon cease to exist—they must cease to be Colonies—or cease to be at all.

Your Petitioner trusts that before your Honorable House proceeds to Legislate for Jamaica, you will refer to the proceedings of your predecessors recorded in history. Place-hunting lawyers may burlesque resistance and tell us of the Virgin Islands—all this was said in 1775.

Your Petitioner for all the reasons he has adduced, prays that your Honorable House will not attempt to pass any Laws relating to the internal concerns of Jamaica.

And further he prays that in any Bill which may be brought into your Honourable House for the noble purpose of amending the popular Representation in Parliament, you will provide that Jamaica, and every other British Colony, may also be fairly Represented in your Honourable House, by delegates to be freely chosen by the subjects of His Majesty, residing in his Possessions beyond the Seas—or else that they should be declared free and independent of a Government, in which they can have neither directly nor indirectly any participation, and under which they would be, to use the language of Sir William Jones, in a condition of actual, though disguised, Slavery!

And your Petitioner shall ever pray, &c.

AUGUSTUS HARDIN BEAUMONT.





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